

Remarks:

The Examiner rejected Claims 1–25 under 35 U.S.C. 103(a) being unpatentable over White Jr. in view of Whiston et al. In response the Applicant has cancelled Claims 12–23, and amended Claims 1 and 24, as set out below, and added new Claims 26–29.

In Claims 1 and 24, the following limitations were added:

“where in operation the ground tires bear against the railroad rails to propel the loader vehicle along the railroad rails, and the front and rear rail wheels rotate freely in response to movement of the loader vehicle along the railroad rails; and

wherein the loader vehicle can be converted to conventional operation by removing the front wheel arms, front rail wheels, and coupler adapter and attaching a tool to the tool attachment mechanism.”

In both White Jr. and Whiston et al., the disclosed machines include mechanisms for driving the rail wheels, and therefore teach away from the invention as presently claimed where the ground tires bear against the rails to drive the vehicle, and the rail wheels rotate freely in response to movement of the vehicle along the rails.

Further, neither White nor Whiston disclose a loader vehicle includes a tool attachment mechanism wherein the loader vehicle can be converted to ground operation for maneuvering and manipulating a tool by removing the front wheel arms, front rail wheels, and coupler adapter and attaching the tool to the tool attachment mechanism. The vehicle of White appears to be operative only as a towing vehicle, with no provision to mount anything on the arms other than the front rail wheels. The vehicle of Whiston includes a manipulating arm in the form of a rough terrain crane “30” that is totally independent of the arms used to raise and lower the front rail wheels “54”.

The present invention provides a mechanism whereby a conventional loader vehicle, such as a skid steer loader, can be used for moving rail cars when required by removing the conventional bucket or like tool from the loader arms and installing the coupler adapter, and then converted to conventional use to manipulate the tool. The prior art of White and Whiston does not teach the problem addressed by the invention,

being the problem of economically providing a rail car mover when required. The solution disclosed in the present invention is to convert a commonly available conventional loader vehicle to such a use when required, and then convert it back to conventional use when not required.

While Whiston teaches a machine with a manipulating arm somewhat analogous to the loader arms of a loader vehicle, he teaches away from the present invention by providing totally separate arms for attaching a coupler mechanism for moving rail cars, instead of, as in the present invention, using the same arms for both. By utilizing the available loader arms, and the available tool attachment mechanism for attaching the coupler adapter, considerable economies are realized.

The Applicant respectfully submits that the above applies equally to new independent claim 26.

With respect to presently submitted claims 7, 25, and 27 the Applicant respectfully submits that none of the prior art discloses or suggests an apparatus wherein the rail wheels are raised and lowered by pressurized fluid in an extendable cylinder, and where the pressure of the fluid can be varied so that more or less of the vehicle weight is carried by the rail wheels. The weight on the ground tires driving the vehicle can thus be varied, such that the traction available to the ground tires can be varied to suit the required conditions.

When starting out to move a heavy rail car, traction can be increased by transferring more weight to the ground tires by reducing the pressure in the cylinder or cylinders, and if necessary raising the loader arms and coupler adapter to transfer weight from the rail car. Once the car and vehicle are moving, traction requirements are typically reduced and the pressure can be increased to force the rail wheels down and take weight off the ground tires, reducing wear on the ground tires.

The prior art machines of White and Whiston provide a drive mechanism for the rail wheels, rather than using the ground tires to drive the vehicle on rails. There is thus no need for weight transfer between rail wheels and ground tires.

The balance of the submitted claims are dependent on the claims discussed above.

Conclusion:

Applicant has made an earnest effort to be fully responsive to the Examiner's objections and believes that Claims 1-11 and 24-29 are now in condition for allowance. The applicant solicits the allowance of Claims 1-11 and 24-29.

If, however, the Examiner should for any reason consider this application not to be in condition for allowance he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Respectfully submitted,

Neil Marcotte

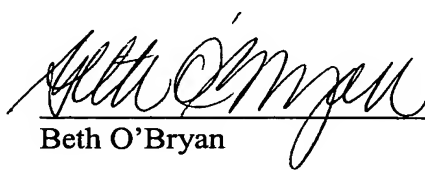
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 23rd day of June 2005.


Beth O'Bryan